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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

YIGDALL, MICHAEL J

ART UNIT PAPER NUMBER

2192

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/006,692

Applicant(s)

POPPENGA ET AL

Examiner

Michael J. Yigdall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's amendment and response filed on February 18, 2005 has been fully considered. Claims 14-27 are now pending.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-13 (canceled) and claims 14-27 (new) have been considered but are moot in view of the new ground(s) of rejection.

#### ***Specification***

3. The objection to the abstract of the disclosure is withdrawn in view of the amendments to the specification filed on February 18, 2005.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 14-27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 2002/0083228 to Chiloyan et al. ("Chiloyan").

With respect to claim 14 (new), Chiloyan discloses a method for facilitating device driver installation (see, for example, paragraph 0035, lines 1-3), comprising:

(a) assigning a discrete identification number to each of a plurality of devices installed in a customer environment (see, for example, paragraph 0036, lines 13-19, which shows enumerating an installed device for its discrete identification numbers);

(b) associating information for configuring a driver for each of the devices installed in the customer environment with the identification number for the device (see, for example, paragraph 0037, lines 1-3, which shows associating a network address with the identification numbers, and paragraph 0041, lines 1-6, which shows that the network address provides information for configuring a driver for the device); and

(c) storing the identification numbers and associated configuration information together at a location remote from the customer environment and accessible to the customer environment (see, for example, paragraph 0045, lines 1-23, which shows storing the identification numbers and associated configuration information together at a remote location that is accessible to the user or customer).

With respect to claim 15 (new), the rejection of claim 14 is incorporated, and Chiloyan further discloses associating the identification numbers with the customer (see, for example, paragraph 0043, lines 1-26, which shows associating the identification numbers with the user or customer to determine, for example, whether the device driver is already installed and whether the customer wishes to access additional information for the device).

With respect to claim 16 (new), the rejection of claim 15 is incorporated, and Chiloyan further discloses associating a device driver with each identification number and storing the associated device drivers together with the identification numbers at the remote location (see, for

example, paragraph 0045, lines 1-23, which shows associating a network address with each identification number stored at the remote location, and paragraph 0041, lines 1-6, which shows that the network address is for the associated device driver stored at the remote location).

With respect to claim 17 (new), the rejection of claim 16 is incorporated, and Chiloyan further discloses the limitations wherein:

(a) storing the identification numbers and associated configuration information together at a location remote from the customer environment and accessible to the customer environment comprises storing the identification numbers and associated configuration information on a database server accessible to the customer environment through a web server (see, for example, paragraph 0045, lines 1-23, which shows that the identification numbers and associated configuration information are stored in a database on a server that is accessible to the user or customer through a Web site); and

(b) storing the associated device drivers together with the identification numbers at the remote location comprises storing the associated device drivers on the database server (see, for example, paragraph 0041, lines 1-6, which shows that the associated device drivers are also stored on the server).

With respect to claim 18 (new), the rejection of claim 17 is incorporated, and Chiloyan further discloses the limitations wherein:

(a) storing the identification numbers and associated configuration information on a database server accessible to the customer environment through a web server comprises storing the identification numbers and associated configuration information in a first database on the

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database server (see, for example, paragraph 0045, lines 1-23, which shows that a database on the server, i.e. a first database on the server, stores only the identification numbers and associated configuration information); and

(b) storing the associated device drivers together with the identification numbers at the remote location comprises storing the associated device drivers on the database server comprises storing the associated device drivers in a second database on the database server (see, for example, paragraph 0041, lines 1-6, which shows that the associated device drivers are also stored on the server, i.e. in a second database).

With respect to claims 19-23 (new), the claims recite a computer readable medium that corresponds to the method of claims 14-18, respectively (see the rejection of claims 14-18 above). Chiloyan further discloses a computer readable medium having instructions thereon for performing the recited method (see, for example, paragraph 0017, lines 1-5).

With respect to claim 24 (new), Chiloyan discloses a method for facilitating device driver installation (see, for example, paragraph 0035, lines 1-3), comprising:

(a) associating a group of numbers each identifying a plurality of devices installed in a customer environment with the customer (see, for example, paragraph 0037, lines 1-8, which shows associating a group of numbers that identify installed devices with the host computer or customer to determine, for example, whether a device driver is already available);

(b) acquiring the number identifying one of the plurality of devices installed in the customer environment (see, for example, paragraph 0036, lines 13-19, which shows enumerating an installed device for its identification numbers);

(c) communicating the acquired identification number to a server at a location remote from the customer environment (see, for example, paragraph 0045, lines 1-23, which shows communicating the identification numbers to a server at a remote location);

(d) the server acquiring a device driver associated with the identification number (see, for example, paragraph 0041, lines 1-6, which shows acquiring an associated device driver); and

(e) installing the acquired driver on the device identified by the acquired identification number (see, for example, paragraph 0042, lines 1-11, which shows installing the driver).

With respect to claim 25 (new), the rejection of claim 24 is incorporated, and Chiloyan further discloses the limitation wherein the server acquiring a device driver associated with the identification number comprises the server accessing a database of device drivers and a database of information for configuring a driver for each of the devices installed in the customer environment (see, for example, paragraph 0045, lines 1-23, which shows accessing a database on the server for the device driver).

With respect to claims 26-27 (new), the claims recite a computer readable medium that corresponds to the method of claims 24-25, respectively (see the rejection of claims 24-25 above). Chiloyan further discloses a computer readable medium having instructions thereon for performing the recited method (see, for example, paragraph 0017, lines 1-5).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. Pat. No. 6,023,585 to Perlman et al. discloses automatically selecting and

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downloading device drivers from a server system to a client system that includes one or more devices.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707.

The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall  
Examiner  
Art Unit 2192

mjy



TUAN DAM  
SUPERVISORY PATENT EXAMINER